

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Gregory Cole

Docket No. 4:14-CR-74-2D

Petition for Action on Supervised Release

COMES NOW Jay Kellum, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Gregory Cole, who, upon an earlier plea of guilty to Distribution of a Quantity of Cocaine Base (Crack) and Aiding and Abetting, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) and 18 U.S.C. § 2, was sentenced by the Honorable James C. Dever III, U.S. District Judge, on October 6, 2015, to the custody of the Bureau of Prisons for a term of 48 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Gregory Cole was released from custody on July 24, 2018, at which time the term of supervised release commenced.

On April 4, 2019, a Violation Report was submitted to the Court after the defendant committed two separate offenses of Driving While License Revoked Not Impaired Revocation in Lenoir County, North Carolina. At that time, it was recommended that supervision be permitted to continue with no additional sanctions.

On April 24, 2019, a Violation Report was submitted to the Court advising Cole tested positive for marijuana. At that time, it was recommended that supervision be permitted to continue thus allowing Cole a chance to participate in an approved course of treatment.

On June 25, 2019, a Petition for Action was approved by the Court placing Cole on a curfew and electronic monitoring for a period not to exceed 30 consecutive days.

On July 30, 2019, a Petition for Action was approved by the Court placing Cole on home detention and electronic monitoring for a period not to exceed 30 consecutive days.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 7, 2020, Cole was charged with Speeding and Driving While License Revoked Not Impaired Revocation by the North Carolina State Highway Patrol. On October 13, 2020, the undersigned probation officer confronted Cole with his violation conduct, at which time he admitted his wrongdoing. Cole was verbally reprimanded for his conduct and expressed remorse for his actions. As a sanction for his conduct, it is respectfully recommended that Cole be placed on a curfew and monitored with Location Monitoring: Radio Frequency equipment for a period not to exceed 60 consecutive days. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ David W. Leake
David W. Leake
Supervising U.S. Probation Officer

/s/ Jay Kellum
Jay Kellum
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5109
Executed On: October 14, 2020

ORDER OF THE COURT

Considered and ordered this 15 day of October, 2020, and ordered filed and made a part of the records in the above case.

James C. Dever III
James C. Dever III
U.S. District Judge